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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,634	11/29/2001	Benjamin V. Smith	BS01-123	1657
28970	7590	10/07/2003	EXAMINER LE, KAREN L	
SHAW PITTMAN IP GROUP 1650 TYSONS BOULEVARD SUITE 1300 MCLEAN, VA 22102			ART UNIT 2642	

DATE MAILED: 10/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,634

Applicant(s)

SMITH, BENJAMIN V.

Examiner

Karen Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 23, lines 1 objected to because of the following informalities: "23" should be omitted from the sentence. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (U. S. 6,404,876).

Regarding claims 1-3, 7, 13-14, 20-21, 25, 29-31, 33 and 36, Smith does not teach a subscription code service comprising a lookup table having one telephone number(or one or more telephone numbers) associated with one subscription code (or one or more subscription codes), wherein the subscription code comprises at least one character and at least three digits. However Smith teaches a system and method for deriving a call routing information utilizing a network data base and voice recognition for matching spoken word sound patterns to routing numbers needed to set up calls. The combination of the access code and the voice-to-code translation facility of Smith provides the same functionality as the subscription code in this

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invention. To further clarify the point, the subscription code used in this invention can be broken into the access code plus additional digits that are used to substitute the voice input to get the information on the terminating party. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make slight modification to Smith's invention by substituting the voice recognition module with built-in information found in the subscription code that is input by the caller.

Smith teaches a routing device (Fig. 2, item 24) in communication with the lookup table (Fig. 9, and Fig. 2, item 26), wherein when a call initiated by a caller (Fig. 1, item 1) using the subscription code (Fig. 7a, item 720) is received by the routing device, the routing device (Fig. 2, item 24 and 30) retrieves the telephone number from the lookup table, and wherein the routing device terminates the call to a subscriber of the subscription code according to the telephone number (fig. 8, item 814A).

Smith further teaches presenting to the caller a list of subscribers associated with the subscription code (Fig. 7b, item 738), receiving one telephone number chosen by the caller (Fig. 7b, item 740), and terminating the call using telephone number (Fig. 8, item 814A).

Smith does not teach subscription code comprises at least one character and at least three digits, total digit does not exceed five, and at least one character is one of an asterisk and a pound sign. However, in the invention, the system will use the information in each code that satisfies the above criteria to search for a telephone number and subsequently insert the result it into the data table. In Smith's invention, the phone number was searched based on the voice input instead of the code, while the remaining parts of the process are identical. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the

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method of getting

information for the phone number to be searched.

Regarding claim 4, Smith further teaches the digits represents a catchy word (Fig. 7a, item 712 and Col. 1, lines 52-53).

Regarding claim 5, Smith further teaches the catchy word characterizes the subscriber (Fig. 8, item 814A).

Regarding claim 6, Smith further teaches the routing device is a local switch (Fig. 2, item 24).

Regarding claim 8, Smith further teaches the associating means comprises a database (Fig. 9).

Regarding claim 9, Smith further teaches the detecting means uses a local switch (Fig. 2, item 24).

Regarding claims 10, 15-19, 22-24, 26-28, 32 and 34-35, Smith further teaches the database contains subscriber rules related to which of the at least one subscriber telephone number should be retrieved by the service control point. The subscriber rules are based at least in part upon an originating region (point code, an NPA-NXX, zip code) within which the caller is located, upon a time, a solicitation of a choice from the caller (Col. 6, lines 10-18; Col. 9, lines 54-56; Fig. 7b, item 740).

Regarding claim 11, Smith further teaches terminating means uses a local switch (Fig. 2, item 30).

Regarding claim 12, Smith further teaches retrieving means and the terminating means are one dedicated switch (Fig. 2, item SSP).

Regarding claims 37 and 38, Smith further teaches the presenting step involves a prerecorded announcement (Fig. 7b, item 726; Col. 7, lines 27-31), and the presenting and receiving steps are performed by one or both of a service node and the service switching point (col. 8, lines 7-39).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,878,126 to Velamuri et al., A method and system of routing a call to a particular subscriber location of a plurality of subscriber locations based on the geographic area from which the call originated is disclosed.

4. Any response to this action should be mailed to:

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Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202


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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Karen Le
KLL
September 30, 2003


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600